

EXHIBIT C

1 HAROLD P. GEWERTER, ESQ.
 2 Nevada Bar No. 499
 3 HAROLD P. GEWERTER, ESQ. LTD.
 4 2705 Airport Drive
 5 North Las Vegas, Nevada 89032
 6 Telephone: (702) 382-1714
 7 Fax: (702) 382-1759
 8 E-mail: harold@gewerterlaw.com
 9 Attorney for Defendants ANTHONY MONACO,
 10 SUSAN K. MONACO & MONACO
 11 DIVERSIFIED CORPORATION

E-filed: May , 2010

8 **UNITED STATES BANKRUPTCY COURT**
 9 **DISTRICT OF NEVADA**

* * * * *

11 In re: 12 USA COMMERCIAL MORTGAGE COMPANY, 13 Debtor,	11 CASE Nos. 12 BK-S-06-10725-LBR 13 BK-S-06-10726-LBR
14 In re: 15 USA CAPITAL REALTY ADVISORS, LLC, 16 Debtor,	14 BK-S-06-10727-LBR 15 BK-S-06-10728-LBR 16 BK-S-06-10729-LBR
17 In re: 18 USA CAPITAL DIVERSIFIED TRUST DEED 19 FUND, LLC, 20 Debtor,	17 JOINTLY ADMINISTERED 18 Chapter 11 Cases 19 Judge Linda B. Riegle 20 Adversary No. 08-01125-LBR
21 In re: 22 USA CAPITAL FIRST TRUST DEED FUND, LLC, 23 Debtor,	21
24 Affects: 25 X USA Commercial Mortgage Company	24

**AFFIDAVIT OF ANTHONY
 MONACO IN CONNECTION WITH
 USACM LIQUIDATING TRUST
 APPLICATION TO COMPROMISE
 AND SETTLE CONTROVERSIES**

26 USACM LIQUIDATING TRUST,
 27 Plaintiff,

28 vs.
 29
 30 EAGLE RANCH, LLC; EAGLE RANCH
 31 RESIDENTIAL, LLC; WILLOWBROOK

1 RESIDENTIAL, LLC; BRENTWOOD 128, LLC;
2 RAVENSWOOD APPLE VALLEY, LLC;
3 ANTHONY MONACO, SUSAN K. MONACO; and
4 MONACO DIVERSIFIED CORPORATION,

Defendants.

AFFIDAVIT OF ANTHONY MONACO

BEFORE ME, the undersigned authority, personally appeared Anthony Monaco, who
being first duly sworn, deposes and says as follows:

1. My name is Anthony Monaco, I am over eighteen (18) years of age and am
2 competent to testify concerning the following matters. I am a defendant in the case of USACM
3 LIQUIDATING TRUST v. EAGLE RANCH, LLC; EAGLE RANCH RESIDENTIAL, LLC;
4 WILLOWBROOK RESIDENTIAL, LLC; BRENTWOOD 128, LLC; RAVENSWOOD APPLE
5 VALLEY, LLC; ANTHONY MONACO, SUSAN K. MONACO; and MONACO
6 DIVERSIFIED CORPORATION.

2. On May 12, 2010, I carefully reviewed and subsequently signed a settlement
3 agreement (the "Agreement") with USACM LIQUIDATING TRUST a copy of which is
4 attached to the Plaintiff's Application to Compromise and Settle Controversies (the "Motion").

3. The assets I legally own are insufficient to satisfy a judgment on the damages that
4 the USACM LIQUIDATING TRUST is seeking and that could have been levied against me as a
5 result of USACM's claim against me in the above-captioned lawsuit, and I have no liquid assets
6 to contribute to this settlement.

4. I am not in possession of any property of the USACM bankruptcy estate.

1
2 5. I declare under penalty of perjury that the information contained herein and in the
attached table of assets is true, complete, and correct.

3
4 **“FURTHER, AFFIANT SAYETH NOT.”**

5 SUBSCRIBED AND SWORN TO BEFORE ME, on this _____ day of May, 2010
6 by said Anthony Monaco to certify with witness my hand and seal of office.

7
8 *S&S Attached*

9
10 Notary Public in and for the State of _____

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CALIFORNIA JURAT WITH AFFIANT STATEMENT

State of California

County of Riversidess. }
}

See Attached Document (Notary to cross out lines 1-6 below)
 See Statement Below (Lines 1-5 to be completed only by document signer[s], not Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

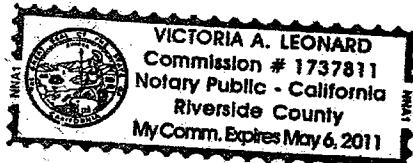
Subscribed and sworn to (or affirmed) before me on this

14th day of May, 2010, by(1) Anthony Monaro,
Name of Signer

Personally known to me
 Proved to me on the basis of satisfactory evidence
 to be the person who appeared before me (.) (.)
 (and)

(2) _____,
Name of Signer

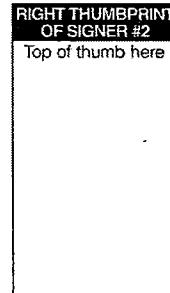
Personally known to me
 Proved to me on the basis of satisfactory evidence
 to be the person who appeared before me.)



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached DocumentTitle or Type of Document: Affidavit of Anthony MonaroDocument Date: May 14, 2010 Number of Pages: 2Signer(s) Other Than Named Above: None

1 HAROLD P. GEWERTER, ESQ.
 2 Nevada Bar No. 499
 3 HAROLD P. GEWERTER, ESQ. LTD.
 4 2705 Airport Drive
 5 North Las Vegas, Nevada 89032
 6 Telephone: (702) 382-1714
 7 Fax: (702) 382-1759
 8 E-mail: harold@gewerterlaw.com
 9 Attorney for Defendants ANTHONY MONACO,
 10 SUSAN K. MONACO & MONACO
 11 DIVERSIFIED CORPORATION

E-filed: May , 2010

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

* * * * *

12 In re:
 13 USA COMMERCIAL MORTGAGE COMPANY,
 14 Debtor,

CASE Nos.
 BK-S-06-10725-LBR
 BK-S-06-10726-LBR
 BK-S-06-10727-LBR
 BK-S-06-10728-LBR
 BK-S-06-10729-LBR

15 In re:
 16 USA CAPITAL REALTY ADVISORS, LLC,
 17 Debtor,

JOINTLY ADMINISTERED
 Chapter 11 Cases
 Judge Linda B. Riegle
 Adversary No. 08-01125-LBR

18 In re:
 19 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,
 20 Debtor,

**AFFIDAVIT OF ANTHONY
 MONACO ON BEHALF OF
 MONACO DIVERSIFIED
 CORPORATION IN CONNECTION
 WITH USACM LIQUIDATING
 TRUST APPLICATION TO
 COMPROMISE AND SETTLE
 CONTROVERSIES**

22 Affects:

23 X USA Commercial Mortgage Company

25 USACM LIQUIDATING TRUST,

26 Plaintiff,

27 vs.

28 EAGLE RANCH, LLC; EAGLE RANCH
 RESIDENTIAL, LLC; WILLOWBROOK
 RESIDENTIAL, LLC; BRENTWOOD 128, LLC;

1 RAVENSWOOD APPLE VALLEY, LLC;
2 ANTHONY MONACO, SUSAN K. MONACO; and
3 MONACO DIVERSIFIED CORPORATION,

4 Defendants.

5 **AFFIDAVIT OF ANTHONY MONACO**

6 BEFORE ME, the undersigned authority, personally appeared Anthony Monaco, who
7 being first duly sworn, deposes and says as follows:

8 1. My name is Anthony Monaco, I am over eighteen (18) years of age and am
9 competent to testify concerning the following matters. I am President of Monaco Diversified
10 Corporation, a defendant in the case of USACM LIQUIDATING TRUST v. EAGLE RANCH,
11 LLC; EAGLE RANCH RESIDENTIAL, LLC; WILLOWBROOK RESIDENTIAL, LLC;
12 BRENTWOOD 128, LLC; RAVENSWOOD APPLE VALLEY, LLC; ANTHONY MONACO,
13 SUSAN K. MONACO; and MONACO DIVERSIFIED CORPORATION.

14 2. On May 12, 2010, I carefully reviewed and subsequently signed a settlement
15 agreement (the "Agreement") with USACM LIQUIDATING TRUST on behalf of Monaco
16 Diversified Corporation, a copy of which is attached to the Plaintiff's Application to
17 Compromise and Settle Controversies (the "Motion").

18 3. The assets legally owned by Monaco Diversified Corporation are insufficient to
19 satisfy a judgment on the damages that the USACM LIQUIDATING TRUST is seeking and that
20 could have been levied against it as a result of USACM's claim against me in the above-
21 captioned lawsuit, and I have no liquid assets to contribute to this settlement.

22 4. I am not in possession of any property of the USACM bankruptcy estate.

1
2 5. I declare under penalty of perjury that the information contained herein and in the
attached table of assets is true, complete, and correct.

3 **“FURTHER, AFFIANT SAYETH NOT.”**

4 SUBSCRIBED AND SWORN TO BEFORE ME, on this _____ day of May, 2010
5 by said Anthony Monaco to certify with witness my hand and seal of office.

6 *S35 Attached*

7 Notary Public in and for the State of _____
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CALIFORNIA JURAT WITH AFFIANT STATEMENT

State of California

County of Riversidess. }
}

See Attached Document (Notary to cross out lines 1-6 below)
 See Statement Below (Lines 1-5 to be completed only by document signer[s], not Notary)

1

2

3

4

5

6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me on this

14th day of May, 2010, by

(1) Anthony Monaco,
Name of Signer

Personally known to me
 Proved to me on the basis of satisfactory evidence
 to be the person who appeared before me (.) (.)
 (and)

(2) _____,
Name of Signer

Personally known to me
 Proved to me on the basis of satisfactory evidence
 to be the person who appeared before me.)

Signature of Notary/Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Affidavit of Anthony Monaco as President of
Monaco Diversified Corp

Title or Type of Document: Monaco Diversified CorpDocument Date: May 14, 2010 Number of Pages: 3Signer(s) Other Than Named Above: None